

# MEMO ENDORSED

## WUERSCH & GERING

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April 13, 2020

Plaintiffs are directed to respond by tomorrow, April 14, 2020 at 6:00 PM.



Edgardo Ramos, U.S.D.J

Dated: April 13, 2020

New York, New York

### VIA ECF

The Honorable Edgardo Ramos  
United States District Court for the Southern District of New York  
Thurgood Marshall U.S. Courthouse  
40 Foley Square  
New York, NY 10007

**Re: Signify North America Corp., et al. v. Reggiani Lighting USA, Inc., et al.,  
Civil Action No. 1:18-cv-11098-ER**

Dear Judge Ramos:

We write on behalf of Defendants Reggiani Lighting USA, Inc. (“Reggiani USA”), and Reggiani S.p.A. Illuminazione (“Reggiani Italy” and collectively with Reggiani USA “Reggiani”) in anticipation of the April 15, 2020 status conference. Reggiani would like to make the Court aware of the tremendous impact the coronavirus pandemic has had on its business and financial and human resources, and proposes that the Scheduling Conference for this case be set in September, at which time Reggiani hopes that business will have started up again and the pandemic will be behind us.

Reggiani’s business has been deeply affected by the coronavirus pandemic, both because manufacturing facilities worldwide have been shut down and orders have dried up due to the pandemic. As previously discussed, Reggiani is a small family-owned company whose headquarters are located outside Milan, Italy, in the Lombardy region of Italy that has been a red zone and the epicenter of the COVID-19 coronavirus pandemic in Italy since mid-February. Reggiani USA now also finds itself in the epicenter of the coronavirus pandemic in the United States, the New York metro area. Reggiani USA is in Carlstadt, NJ, in Bergen County, one of the counties in New Jersey most affected by the coronavirus pandemic. Last month Reggiani USA was forced to let go most of its employees and is left with a skeleton team. Reggiani USA is under 100% lockdown, as is Reggiani Italy, and is not receiving or assembling/preparing product which in any case cannot be received by clients. Thus, as a result of the pandemic and worldwide governmental efforts to mitigate its effects, Reggiani has been at a standstill for months. Reggiani simply does not have financial or human resources to proceed with this litigation at this time. In addition, it has become very difficult for counsel to communicate with Reggiani, and all travel to Italy is blocked.

Signify will not be burdened by the additional few months' delay due to the unimaginable circumstances Reggiani and the entire world are facing. The fact that one of the patents-in-suit will expire next year does not affect this lawsuit since Signify has already filed its complaint. Furthermore, should Signify prevail on its infringement claim, it would at most be entitled to monetary damages as reasonable royalty since all the patents are part of the portfolio it has been licensing.

Counsel for the parties have conferred, but have been unable to reach agreement on a date for the Scheduling Conference.

Respectfully submitted,

/s/ Maria Luisa Palmese  
Maria Luisa Palmese

cc: Counsel of Record (via ECF)